

May 9, 2005

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

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MAY - 9 2005

Federal Communications Commission
Office of Secretary

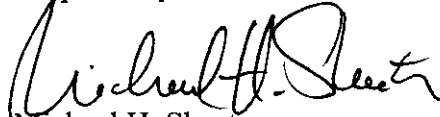
Re: Petition for Rule Making to Amend FM Table of Allotments

Dear Ms. Dortch:

Transmitted herewith on behalf of Augusta/Bracken Broadcasting, are an original and four (4) copies of a Petition for Rule Making to Amend the FM Table of Allotments.

Should any questions arise in connection with this matter, kindly communicate directly with the undersigned.

Respectfully submitted,


Michael H. Shacter

Enclosure

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List ABCDE
MB 05-49

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

In the Matter of

Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations.
(Augusta, Kentucky)

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MB Docket No. _____
RM- _____

To: Office of the Secretary
Assistant Chief, Audio Division, Media Bureau

PETITION FOR RULE MAKING

Augusta/Bracken Broadcasting ("ABB"), by its attorneys, pursuant to Sections 1.401 and 1.420 of the Commission's rules, hereby requests the commencement of a rule making proceeding to amend the Table of Allotments for FM Broadcast Stations, 47 C.F.R. 73.202(b), to specify Channel 294A at Augusta, KY, as its first local aural transmission.¹ A Technical Report prepared by Charles M. Anderson Associates in support of this Petition demonstrates that the proposed changes may be implemented in compliance with the Commission's technical rules. A copy of the Technical Report accompanies this Petition as Exhibit A. In support whereof, the following is submitted:

1. The following table summarizes the change proposed in this Petition:

Community	Existing	Proposed	Coordinates
Augusta, KY	----	294A	38° 49' 56" North 83° 51' 37" West

¹ The proposed coordinates for Channel 294A at Augusta, KY are 38° 49' 56" North Latitude and 83° 51' 37" West Longitude.

2. Augusta, KY is a community for allotment purposes. It is a community listed in the 2000 U.S. Census with a population of 1,204 persons. *See Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, 100 (1982) (requirement of an allotment to a community is generally satisfied if the community is either incorporated or listed in the U.S. Census). In addition, it has its own zip code (41002). Moreover, Augusta, KY is self-governing with its own Mayor, City Council, Fire Department, and public schools.

3. Allocation of Channel 249A to Augusta would result in a preferential arrangement of allotments, pursuant to *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982); *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870 (1989). The assignment would provide Augusta, KY with its first local aural transmission service, fulfilling the Commission's third priority for FM allocations.

4. The proposed allotment reference point meets all applicable Commission separation requirements. *See* Technical Statement at 1.²

5. The proposed allocation site will provide a 70 dBu service to all of Augusta, KY, and a 60 dBu service to an area of 2,516 square kilometers which includes a 2000 Census population of 82,934. *See* Technical Statement at 1. Thus, the objectives of 47 U.S.C. 307(b) would be served by allocating Channel 249A to Augusta, KY.

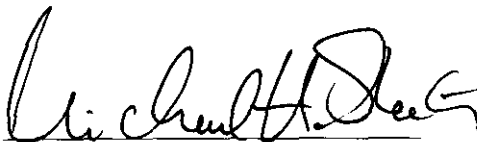
6. ABB certifies that it has a present intention to apply for the new channel when allotted, and when authorized will construct the facilities promptly and commence operation on Channel 249A at Augusta, KY.

² Pursuant to Docket No. MB 02-266, station WSRW on Channel 294B has been deleted from Hillsboro, OH.

WHEREFORE, for the foregoing reasons, it is respectfully requested that the
Commission commence a rule making proceeding to allot Channel 249A to Augusta, KY.

Respectfully submitted,

Augusta/Bracken Broadcasting

By: 

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Michael H. Shacter, Esq.
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Its Attorneys

May 9, 2005

EXHIBIT A

TECHNICAL REPORT

This technical report has been developed in support of a petition for rulemaking requesting the assignment of FM channel 294A to Augusta, KY (2000 Population 1,204) as a first local aural service.

Community	Existing	Proposed	Coordinates
Augusta, KY	-----	294A	N 38-49-56 W 83-51-37 (14.3 km northeast)

I. Allocation Analyses:

The assignment of 294A is proposed at coordinates:

N 38-49-56 W 83-51-37.

An allocation study is included as Exhibit E1 demonstrating that the proposed allotment reference point meets all applicable Commission separation requirements. It is noted that station WSRW on 294B has been deleted from Hillsboro, OH in Docket No. MB 02-266. Exhibit E2 demonstrates 70 dBu coverage of Augusta, KY and E3 shows that line of sight to the community may be obtained from the proposed allocation point.

II. Population and area:

The proposed 294A Augusta allocation will provide a new 60 dBu FM aural service to an area of 2,516 sq km with a population of 82,934.

III. Conclusion:

It is concluded that channel 294A may be assigned to Augusta, KY in full compliance with all Commission allocation rules and policies. The allocation will provide a first local aural service to Augusta (2000 population = 1,204) and a new 60 dBu service to an area of 2,516 square kilometers and a population of 82,516.



Charles M. Anderson 5/6/2005
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E1 - AUGUSTA 294A ALLOCATION STUDY

REFERENCE

38 49 56 N.
83 51 27 W.

CLASS = A

Current Spacings

Channel 294 - 106.7 MHz

DISPLAY DATES

DATA 05-06-05

SEARCH 05-06-05

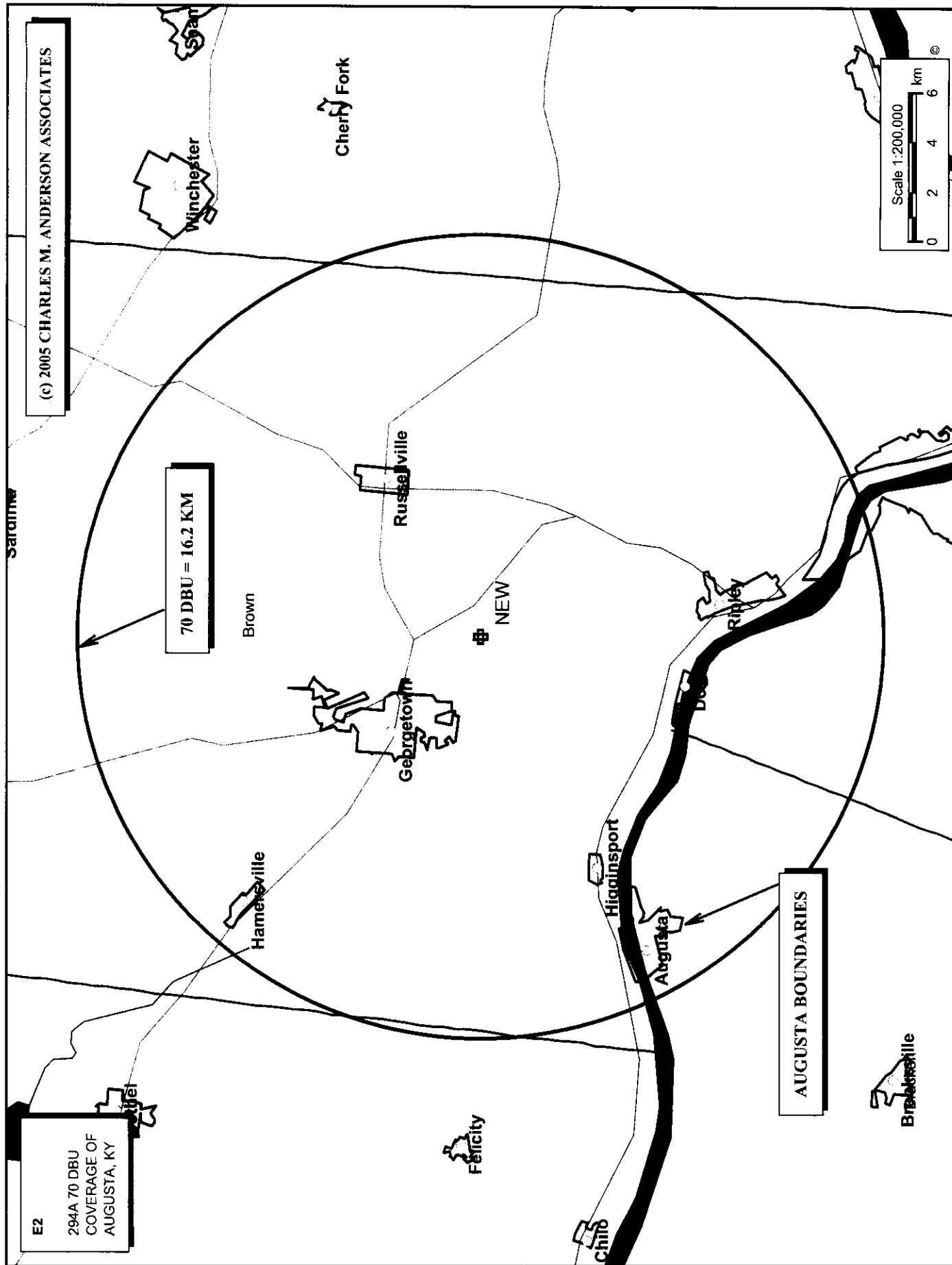
Call	Channel	Location	Azi	Dist	FCC	Margin
WSRWFM	LIC 294B	Hillsboro	OH 30.2	42.95	177.5	-134.55*
RDEL	DEL 294B	Hillsboro	OH 30.2	42.95	177.5	-134.55*
WNKR	LIC 293A	Williamstown	KY 256.7	71.66	71.5	0.16
RADD	ADD 295A	Owingsville	KY 163.9	79.63	71.5	8.13
WFTMFM	LIC 240A	Maysville	KY 162.2	22.06	9.5	12.56
WKFS	LIC-N 296B1	Milford	OH 299.8	64.14	47.5	16.64
WLFY	LIC-Z 294A	Berea	KY 191.1	132.46	114.5	17.96
RADD	ADD 294B1	Dublin	OH 28.8	168.29	142.5	25.79
RADD	ADD 293A	Chillicothe	OH 59.0	100.25	71.5	28.75
WRLVFM	RSV 293C3	Salysersville	KY 155.9	123.25	88.5	34.75
WQXX	LIC 291C3	Morehead	KY 153.7	80.47	41.5	38.97
WDSJ	LIC 293B	Greenville	OH 336.4	159.67	112.5	47.17
WVKM	LIC-N 294C3	Matewan	WV 132.4	199.07	141.5	57.57
WVEZ	LIC 295B	Louisville	KY 254.0	178.91	112.5	66.41
WCDA	LIC 292A	Versailles	KY 212.8	103.56	30.5	73.06
WJSNFM	LIC 293A	Jackson	KY 164.1	148.39	71.5	76.89
WBKS	LIC-Z 296A	Ironton	OH 107.8	110.28	30.5	79.78
WLXO.C	CP -Z 241A	Stamping Ground	KY 220.9	92.09	9.5	82.59
WLXO	LIC-Z 241A	Stamping Ground	KY 220.9	92.09	9.5	82.59
WJYD	LIC-Z 292A	London	OH 17.6	122.70	30.5	92.20
WKID	LIC 240A	Vevay	IN 270.6	101.80	9.5	92.30
WWVY	LIC 291B	North Vernon	IN 279.9	162.08	68.5	93.58
RDEL	DEL 295B	Marion	OH 17.2	207.42	112.5	94.92
WMRNFM	LIC 295B	Marion	OH 17.2	207.42	112.5	94.92
WAZU	LIC 296A	Circleville	OH 42.8	126.82	30.5	96.32
WAMX	LIC-N 292B1	Milton	WV 103.7	147.96	47.5	100.46
WTLCFM	LIC 294A	Greenwood	IN 297.1	220.29	114.5	105.79
WHIRFM	CP 296A	Danville	KY 213.2	142.03	30.5	111.53
WHIRFM	LIC-N 296A	Danville	KY 212.0	151.23	30.5	120.73

* WSRW deleted by MB 02-266.

E2

294A 70 DBU
COVERAGE OF
AUGUSTA, KY

(c) 2005 CHARLES M. ANDERSON ASSOCIATES



E3 294A LINE OF SIGHT TO AUGUSTA

Earths Curvature = 1.33

70

380

60

310

50

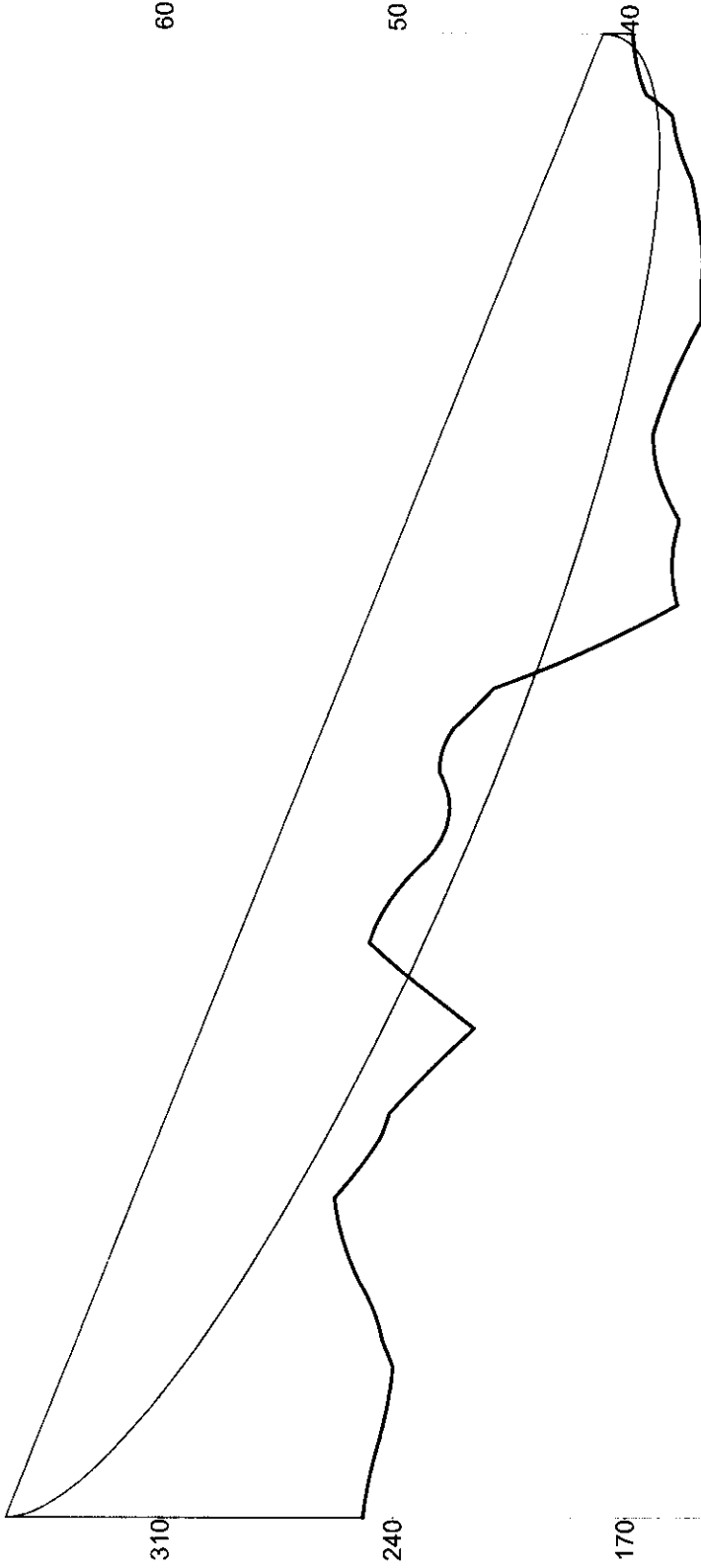
240

40

170

Field Strength (dBu)

Elevation (m)



Signal

Profile

Distance (km)

Fresnel

Curvature

Starting Latitude: 38-49-56 N

End Latitude: 38-46-18 N

Distance: 14.320196228 km

Starting Longitude: 083-51-37 W

End Longitude: 084-00-21 W

Bearing: 242.049 deg

Transmitter Height (AG) = 107.4 m

Transmitter Elevation = 249.0 m

Frequency = 106.7 MHz

Receiver Height (AG) = 9.1 m

Receiver Elevation = 169.0 m

Fresnel Zone: 0.6